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RESOLUTION FOR ON-SITE DISPOSAL

02/23/95

APPLEGATE TASK FORCE
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MEMO

FERNALD CITIZENS TASK FORCE

A U.S. DEPARTMENT OF ENERGY SITE-SPECIFIC ADVISORY BOARD

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MEMORANDUM

TO: Task Force Member
FROM: John S. Applegate, Chair
DATE: February 23, 1995
RE: Resolution for On-Site Disposal

Alternates:

Russ Beckner
Jackie Embry

Ex Officio:

J. Phillip Hamric
Graham Mitchell
Jim Saric

Attached please find a draft of the resolution for on-site disposal and its supporting arguments, which I have developed as directed by the board on February 18. While the function of this resolution is to support the disposal of low-level wastes on site, I feel that it is also important to capture the minority viewpoints that were expressed. The final vote on this issue is not likely to be unanimous, and it is important for our record to reflect the full position of the Task Force.

The process that was agreed to for this resolution is to bring it to a final vote on March 11, 1995. To facilitate this process, I would like to be able to have a *revised* version of the resolution available before that meeting. Please call, mail, or fax your comments, as soon as possible, to me (556-0114 or fax - 556-3499), Doug Sarno (703-971-0030 or fax - 703-971-0006), or Judy Armstrong (738-0003 or fax - 738-8273). Thanks.

JSA:jaa
Attachment



RESOLUTION TO RECOMMEND AN ON-SITE DISPOSAL FACILITY AT FERNALD

(Draft 2/23/95)

The Fernald Citizens Task Force recommends the construction of an on-site disposal facility to accept, from the Fernald site only, materials solely with low levels of contamination meeting the site-specific waste acceptance criteria.

The Fernald Citizens Task Force does not make this recommendation lightly. No member of the Task Force wishes to see waste materials from Fernald or any other location stored on the Fernald property indefinitely. As it adjoins residential and agricultural lands and is situated directly above a sole source aquifer, Fernald is far from an ideal location for waste disposal. Nevertheless, we are aware of the many engineering, political, and financial challenges facing a project the size of the Fernald cleanup. Our primary goals are protecting human health and the Great Miami Aquifer. We believe that a balanced approach to cleanup, in which the most hazardous materials are disposed off the Fernald property and the least hazardous materials are stored safely on the property, is the most effective way to achieve prompt and enduring protection for the communities surrounding Fernald. We ultimately arrived at this recommendation in consideration of the following issues:

- The more quickly source materials are taken out of the environment, the better the aquifer is protected and the more quickly it can be restored. The Fernald Citizens Task Force believes that an on-site cell is the quickest way to protect the aquifer and the overall environment.
- In the off-site option, the risk of transporting the expected 2.4 million cubic yards of low-level contaminated soil and debris from the Fernald site to Utah and Nevada includes an estimated six fatalities to the public along the transportation routes, while relatively little health and safety risk is incurred by the public for the on-site option. Both on and off-site options require similar levels of work in excavating, loading, unloading, and disposing of materials; therefore, the risk to remediation workers in both options is roughly equivalent. The Fernald Citizens Task Force believes the on-site option is the most responsible with regard to overall safety.
- The cost of off-site disposal is three times that of on-site disposal. The Fernald Citizens Task Force believes that under current and foreseeable budget

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conditions, an off-site decision would greatly delay cleanup and may prevent any progress at all. An on-site cell is thus more viable under the current budget and political constraints.

- Both states of Utah and Nevada have written to Fernald encouraging a balanced approach to cleanup. The Fernald Citizens Task Force is concerned that if the decision were made to send all Fernald waste off site, we would face the likelihood of reprisals from other states resulting in our not being able to send any waste off site. The Fernald Citizens Task Force believes that it is of paramount importance that the off-site shipment of the most hazardous materials be the first priority of cleanup, and carried out expeditiously.
- Because the entire Fernald property is situated over a sole-source aquifer, only the lowest level materials as defined by the site specific waste acceptance criteria will be allowed into an on-site disposal facility. The waste acceptance criteria for Fernald were established by modeling the proposed cell over a thousand year period to prevent any contamination from reaching the aquifer at levels that would exceed the federal maximum levels of contamination for drinking water. This modeling assumed only natural materials in providing protection of the aquifer and excluded consideration of man-made liners that are subject to failure over the 1,000 year period.
- The Fernald Citizens Task Force wants to prevent any waste coming to Fernald from other sites. Under the Federal Facilities Compliance Act of 1992, that potential exists. By managing the Fernald wastes fairly and effectively, the Fernald Citizens Task Force believes we will be in a more equitable position to prevent a decision to send outside wastes to Fernald.

The above conditions have convinced us that an on-site disposal facility is the most prudent and effective solution to Fernald's waste problems. However, we recommend on-site storage of low-level materials at Fernald only in conjunction with the following:

- The Fernald Citizens Task Force strongly and unanimously opposes the use of the Fernald site for the permanent disposal or long-term storage of any waste materials originating from other locations.
- The Fernald Citizens Task Force desires assurances from the U.S. Department of Energy that any on-site cell will be built for long-term performance using the best design, technology, and engineering available.
- The Fernald Citizens Task Force desires assurances from the U.S. Department of Energy that any on-site cell placed at Fernald will be designed to make the least possible aesthetic impact. The Fernald Citizens Task Force and the public at large shall be explicitly involved in the process to identify the ultimate appearance of the waste disposal facility.

- The Fernald Citizens Task Force desires assurances from the U.S. Department of Energy that any on-site cell placed at Fernald will provide an adequate buffer area to minimize any impacts to neighboring properties and the future use of the Fernald property. The Fernald Citizens Task Force and the public at large shall be explicitly involved in the process to identify these buffer areas and their maintenance.
- The Fernald Citizens Task Force desires assurances from the U.S. Department of Energy that DOE will retain permanent ownership of any property containing the waste disposal facility.
- The Fernald Citizens Task Force desires assurances from the U.S. Department of Energy that DOE will continually monitor the waste disposal facility.
- The Fernald Citizens Task Force desires assurances from the U.S. Department of Energy that DOE will commit to retrieve and destroy or redispense of the material contained in the waste disposal facility at such time that a new, proven, and economically justified technology to manage these materials should become available.
- The Fernald Citizens Task Force desires assurances from the U.S. Department of Energy that the risk at failure of any disposal facility left on site shall not cause immediate or acute risks to public health and that DOE shall have adequate procedures to identify and correct any and all complications before any increased risk to public health occurs.

The above resolution and supporting arguments were approved by the Fernald Citizens Task Force on March 11, 1995 by a vote of ___ supporting and ___ opposing. While the dissenting votes to this motion do not dispute the accuracy of the above statements, they do not find the arguments compelling enough to accept long-term storage of waste at Fernald. The dissenting votes believe the arguments for on-site storage are outweighed by the following:

- The contamination problems at Fernald did not evolve from local concerns or result in sufficient local benefit to warrant the long-term impact on local communities from a waste disposal facility.
- Facilities in the west are geologically better suited for this waste material than is Fernald.
- Local communities do not wish to incur the stigma associated with a waste disposal facility.
- Waste disposal on the Fernald property limits the land available for productive reuse by local communities.